REMARKS

Claims 1-44 remain in this application. No claims have been cancelled. Claims 1, 11, 21, 32, and 42 have been amended. Claims 2-10 are previously presented.

Applicants thank the Examiner for the detailed study of the application and prior art.

Applicants note that the Information Disclosure Statement and PTO-1449 form was filed with this patent application on February 24, 2004. The Office Action did not include the initialed copy of the PTO-1449 form indicating that the Examiner had considered the Information Disclosure Statement. Applicants submit with this Amendment a copy of the PTO-1449 form, the Information Disclosure Statement document, and a copy of the return postcard indicating that the Patent Office had received the IDS. Applicants request an initialed copy for their records to complete the file.

At the outset, Applicants submit a new replacement sheet for FIG. 1 showing the mobile wireless communications device 12.

Also, Applicants have amended all independent claims to place the case in condition for allowance. The independent claims now recite that the alerts are notifications indicative of an event.

Applicants note the rejection of claims 1-4, 6, 10-19, 21-24, 29-32, 34, 37 and 39-44 as anticipated by U.S. patent publication no. 2002/0183080 to Poor et al. (hereinafter "Poor") and the other claims as obvious over Poor in view of U.S. Patent No. 6,600,915 to Wedeking, or Poor in view of U.S. patent publication no. 2004/0024853 to Cates et al. (hereinafter "Cates").

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Applicants stress that Poor is directed to using an
intermediate server that stores information regarding an
application protocol used by a wireless device to translate
email messages from an email server or an LDAP (lightweight
directory access protocol) server typically used for email
systems as a front-end solution. The entire email message is
transmitted by the intermediate system 12 to the wireless
device via the wireless network 14 using the hypertext
transfer protocol (HTTP) or other protocol recognized by the
network and wireless device, allowing the native operating
software of the wireless device to decode the received HTTP
packets and parse the text of the message, which could be a
list of emails which can be retrieved, viewed and displayed
for the user as shown in FIG. 4.

It is clear Poor is directed to using an
intermediate server that stores application program protocols
used by a user's wireless device to translate an email message
using a transport level protocol, which communicates
information with a remote server or system that services the
application program by the user.

Nowhere does Poor suggest the communication of any
"alerts," especially that any "alerts" are notifications
indicative of an event. As compared to Poor where the entire
email message is translated, the alert as claimed could
correspond to a simple notification indicative of an event,
such as a telephone message. The telephone message would not
be initially transmitted, but only the alert indicative of the
event, i.e., that a telephone message is stored somewhere.
Once the alert is received, the user could make a phone call
to a separate telephone answering machine or message database

or corporate database at the user's office. Poor does not
suggest any proxy operative as an agent for communicating with
different mobile wireless devices using different operating
protocols, and a device information module operative with the
proxy that determines functional features in selecting a
configuration file to enable communications of any desired
alerts that are notifications indicative of an event, which
could be more than an email message. It is possible also with
the present invention, in one non-limiting example, to
establish user desired templates based on device brands for
the alerts.

As to Wedeking, it is specifically directed to
identifying unauthorized users of cellular telephones.
Wedeking discloses in FIGS. 7 and 8 and explains at column 4
starting at line 57 and continuing onto column 5 at line 4,
that it uses the ESN registration data to determine a match
between the stored ESN and an input ESN.

The combination of Poor and Wedeking would only
suggest an intermediate device that determines if a mobile
wireless communications device was authorized to use the
network. It would not determine brands, but use ESN
registration and not headers.

As to the cited Cates, it is even more removed from
the subject matter of the present claimed invention and is
directed to balancing servers to update multiple servers
without taking multiple servers off-line at the same time.
The load balancing spreads requests for service that could be
made to a single address across multiple servers. It solves
the problem of updating servers in an automated fashion

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without bringing down an entire set of servers and without restoring to service servers that may not operate properly.

In Cates, the servers are segregated into multiple groups, which can be taken off-line. The system brings on-line the members of the group that were on-line prior to the update in which the update was installed successfully.

In order to assign servers to groups, a status monitor 326 requests and receives an indication of the make, model, and/or brand and address of a load balancer 210 from a configuration manager 312 that is stored within a configuration file in a configuration storage database 314. The status table can be built and entries updated. The on-line or off-line status of servers can be stored and updated.

The combination of Poor and Cates would not suggest the claimed invention. Indeed Cates does not suggest a default configuration for load balancing servers. Indeed, even if it is accepted that some default configuration in Cates could be chosen, the Poor and Cates combination would suggest choosing some type of default configuration for the email or other data storage devices 16, 18 . . . 20 in the instant application, as compared to choosing a default configuration for wireless communications devices. Indeed, Cates is opposite from what is addressed in the present application.

Applicants contend that the present case is in condition for allowance. Nowhere does Poor disclose or suggest communicating any desired alerts that are notifications indicative of an event. These alerts, in one aspect, could be a simple alert indicative of an event, such
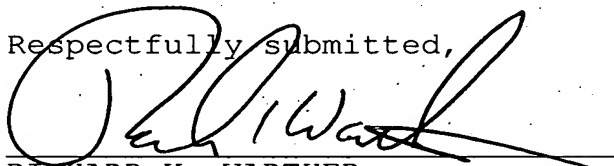
In re Patent Application of:
CLARKE ET AL.
Serial No. **10/785,657**
Filing Date: **Feb. 24, 2004**
_____/

as a telephone message, and not an email message. Poor is
limited to the use of an intermediate server operative with
some type of email messaging system to translate the email or
similar messages for use by a wireless device, as compared to
the claimed invention set forth in this Amendment in which a
sophisticated protocol interface device is operative to enable
communications of any desired alerts that are notifications
indicative of the event, which could be as varied as an email
message, a stock quote, or telephone message, which is later
retrieved as obtaining the alert.

      Applicants contend that the present case is in
condition for allowance and respectfully requests that the
Examiner issue a Notice of Allowance and Issue Fee Due. If
the Examiner has any questions or suggestions for placing this
case in condition for allowance, the undersigned attorney
would appreciate a telephone call.

Respectfully submitted,

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